INVESTIGATIVE SUMMARY
USE OF FORCE
TYPE: DEPUTY INVOLVED SHOOTING-NON HIT
IAB FILE NUMBER: SH2073688
URN: 402-15587-2814-057

On Thursday, October 10, 2002, Sergeants John Cleary and Richard Smith, along with Acting Lieutenant Clay Porlier, of the Internal Affairs Bureau responded to 716 West Rosecrans Boulevard, Compton, in regards to a Deputy Involved Shooting involving Compton Station personnel. Detectives Sergio Mancilla and Kevin Walk of Compton Station were on scene to conduct the criminal investigation.

The summary of this incident is based on the investigators observations at the scene and from interviews of the involved employee.

INVOLVED PERSONNEL:

Forlano, Anthony, Deputy #[redacted] MW/38 6'01"/220 lbs

EMPLOYEE WORK HISTORY

Deputy Forlano is an eight year Department veteran who has been assigned to Compton Station since September 1, 2002. [redacted]

SUSPECTS:

Unknown

WITNESSES:

None

INJURIES:

None

PHYSICAL EVIDENCE:

Internal Affairs Bureau investigators examined Deputy Forlano's Department issued Beretta, Model 92F, Serial #BER[redacted] The pistol was loaded with one live round in the chamber and a magazine containing ten unexpended rounds of Department issued 9mm Luger caliber ammunition. Deputy Forlano's two spare magazines were each found to be fully loaded with fifteen rounds of

Department issue ammunition.

Deputy Forlano's pistol was examined by Deputy Edmund Anderson, Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section. The weapon was test fired and found to be functional **(refer Exhibit B)**.

INVESTIGATOR OBSERVATIONS:

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Anthony Forlano #[redacted]

Service weapon, five rounds of duty issued ammunition fired.

WEAPON USED BY SUSPECTS:

None

PROPERTY DAMAGE:

Four bullet strikes to the suspect vehicle.

CRIMINAL INVESTIGATOR AND CHARGES FILED:

Compton Station Detectives

No charges were filed as there were no suspects in custody.

LIGHTING AND WEATHER CONDITIONS:

At the time of the incident it was nighttime and the weather was dry and cloudy. The street was lit by several street lamps and the motel had lighting over the pedestrian walkways.

INVOLVED EMPLOYEE STATEMENT:

Deputy Anthony Forlano

Deputy Forlano said on the day of the incident, he was assigned to Unit 284, a one-deputy, EM shift, general law enforcement unit assigned to the city of Compton. He is regularly assigned to PM shift and this assignment was an overtime shift for Deputy Forlano. He was wearing a Sheriff's Department Class A uniform, green pants and a tan shirt with Sheriff's patches on the shoulders and a badge over the left breast area. He was also wearing a Sam Browne belt with a 9mm Beretta

handgun, two spare magazines, baton, radio, pepper spray, handcuffs and a protective vest. He was driving a marked, black and white Sheriff's radio car.

At approximately 0320 hours, Deputy Forlano was driving east on Rosecrans Boulevard and turned south into the parking lot of the Rose Motel, 716 West Rosecrans Boulevard, Compton to make a patrol check of the motel parking lot. The purpose of the patrol check was to check for drug activity and stolen vehicles. The parking lot is very small and holds only enough space for twelve vehicles. He saw an Infiniti sedan parked in the lot and stopped to run the vehicle license plate on his MDT. He also ran the plate of another vehicle parked near the Infiniti but cannot remember the make or model of the second vehicle. The MDT return provided no wants on either vehicle and Deputy Forlano decided to leave the location.

Deputy Forlano turned the radio car to the right (west) into an empty parking space to give himself enough room to back his radio car up and exit the parking lot. Before backing up, Deputy Forlano looked in the rear view mirror of his vehicle to check if anything was behind him. In the mirror's reflection he saw two people in a Ford Escort parked along the northeast wall of the parking lot. Deputy Forlano recalls seeing the Ford when he entered the lot but did not see any occupants inside the vehicle. His assumption was that the occupants had reclined the seats and were out of sight when he drove in. The occupants of the Ford were moving up and down as if they were trying to see what Deputy Forlano was doing without being noticed by him.

Deputy Forlano watched the occupants for a few seconds. He thought their actions were odd as it is not usual for persons to hide from the police unless they are doing something wrong. Deputy Forlano decided to contact the occupants of the Ford and question them about their activities. He exited his vehicle, drew his duty weapon and started walking toward the suspect vehicle.

As Deputy Forlano approached, the passenger suspect looked out the open passenger window at Deputy Forlano. He seemed to have a startled look on his face as if he was surprised to see Deputy Forlano approaching. Deputy Forlano told the occupants to place their hands up. As he began to order the suspects to put their hands up the vehicle engine started and the vehicle began to back up slowly in the direction of Deputy Forlano.

Deputy Forlano yelled to the suspects to stop the vehicle and put their hands up. At this time the vehicle was within twenty five feet of him. The passenger suspect leaned out of the window and Deputy Forlano could see the passenger was holding a small black handgun in his right hand. Deputy Forlano moved to his left (north) to get out of the line of fire. When Deputy Forlano moved, the passenger yelled to the driver, "Hit him, hit him!" and the vehicle began accelerating backwards at a much more rapid pace. Deputy Forlano backed away from the suspect vehicle, moving west and south at an angle. The suspect vehicle continued to back up toward Deputy Forlano moving toward him at a rate faster than Deputy Forlano could back up.

Deputy Forlano reached the right rear fender area of his radio car and could not go any further to get

out of the way of the suspect vehicle. He formed the opinion that he was about to be run over and then shot by the suspects in the vehicle. Fearing for his life, Deputy Forlano fired several rounds from his duty weapon at the driver of the suspect vehicle. Deputy Forlano believed he had fired four rounds. In fact, he fired five. Four rounds struck the vehicle, investigators were unable to account for the fifth round. As Deputy Forlano was firing the suspect vehicle began moving forward, drove out of the parking lot and began traveling east in the number one lane of Rosecrans Boulevard. At first, the driver began to accelerate away but then, the vehicle slowed and coasted to a stop along the center divider approximately twenty-five yards from the motel driveway entrance. Deputy Forlano believed the driver had been wounded by the gunfire and that is why the vehicle stopped.

Deputy Forlano began to broadcasted over his portable radio that he had been in a shooting. As he was doing this, both the passenger and drivers doors of the suspect vehicle opened. The suspects exited the vehicle and began running east on Rosecrans Boulevard to Paulsen Avenue. The driver ran north on Paulsen Avenue and the passenger ran south on Paulsen Avenue. Deputy Forlano chose to follow the driver and set up a containment as it was the driver who tried to run him over with the suspect vehicle. In that the driver was some yards ahead of him when the chase began, Deputy Forlano did not believe he could catch the suspect. This is why he believed that the chase was a following action for containment purposes rather than a foot pursuit.

Deputy Forlano followed the driver north on Paulsen to Cherry Street while continuing to broadcast information. The distance between Rosecrans Boulevard and Cherry Street is very short, approximately forty yards. The suspect reached the intersection of Paulsen Avenue and Cherry Street and ran east on Cherry Street. When Deputy Forlano got to the intersection of Paulsen Avenue and Cherry Street he saw the suspect had crossed to the north side of Cherry Street and was running down the driveway at [redacted] Rather than continue after the driver, Deputy Forlano felt it would be safer to stop following the suspect and set up a containment. Deputy Forlano returned to the intersection fo Paulsen Avenue and Cherry Street and waited for assisting units. The search for the suspect driver met with negative results.